

**RESPONSE TO RESTRICTION REQUIREMENT**

Serial Number: 10/749,614

Filing Date: December 30, 2003

Title: METHOD AND SYSTEM TO PUBLISH A SELLER FIXED PRICE OFFER

---

**Page 12**

Dkt: 2043.033US2

**REMARKS**

In the Restriction Requirement mailed September 18, 2006, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-20, 26-31, 34-53 and 59-78, drawn to a network based method and system for causing a processor to exchange proxy bid information per a specific exchange criteria, classified in class 705, subclass 26.
- II. Claims 21, 32, 54 and 79, drawn to a network based method and system facilitating the display of a reserve price, classified in class 705, subclass 26.
- III. Claims 22-25, 33, 55-58 and 80-83, drawn to a network based commerce method and system facilitating the display of a fixed price offer, classified in class 705, subclass 26.

Applicants elect, without traverse, Group I, claims 1-20, 26-31, 34-53 and 59-78. Applicants respectfully cancel claims 21-25, 32-33, 54-58 and 79-83 (Group II and Group III) without prejudice or disclaimer, and reserve the right to reintroduce them in one or more Divisional applications at a later date.

**RESPONSE TO RESTRICTION REQUIREMENT**

Serial Number: 10/749,614

Filing Date: December 30, 2003

Title: METHOD AND SYSTEM TO PUBLISH A SELLER FIXED PRICE OFFER

Page 13

Dkt: 2043.033US2

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


BRIAN GROVE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
408-278-4042

Date November 20, 2006

By /

  
Andre L. Marais  
Reg. No. 48,095

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20 day of November 2006.

Name      Signature

Peter Reinken

